

Tentative Rulings for October 19, 2020

Department S102

**To request oral argument, you must notify
Judicial Secretary Tiffany Uhls at (760) 904-5722 and
inform all other counsel no later than 4:30 p.m.**

This court follows California Rules of Court, Rule 3.1308 (a) (1) for tentative rulings (see Riverside Superior Court Local Rule 3316). Tentative Rulings for each law & motion matter are posted on the Internet by 3:00 p.m. on the court day immediately before the hearing at <http://www.riverside.courts.ca.gov/tentativerulings.shtml>. If you do not have Internet access, you may obtain the tentative ruling by telephone at (760) 904-5722.

To request oral argument, no later than 4:30 p.m. on the court day before the hearing you must (1) notify the judicial secretary for Department S102 at (760) 904-5722 and (2) inform all other parties of the request and of their need to appear telephonically, as stated below. If no request for oral argument is made by 4:30 p.m., the tentative ruling **will become the final ruling** on the matter effective the date of the hearing. **UNLESS OTHERWISE NOTED, THE PREVAILING PARTY IS TO GIVE NOTICE OF THE RULING.**

IN LIGHT OF THE CORONAVIRUS PANDEMIC; AND UNTIL FURTHER NOTICE, COUNSEL AND SELF-REPRESENTED PARTIES MUST APPEAR AT ANY LAW AND MOTION DEPARTMENT TELEPHONICALLY WHEN REQUESTING ORAL ARGUMENTS. **IN-PERSON APPEARANCES WILL NOT BE PERMITTED.**

TELEPHONIC APPEARANCES: On the day of the hearing, call into one of the below listed phone numbers, and input the meeting number (followed by #):

- Call-in Numbers: 1 (213) 306-3065 or 1 (844) 621-3956 (TOLL FREE)
- Meeting Number: **284-171-163#**
- Press **#** again

Please **MUTE** your phone until your case is called and it is your turn to speak. It is important to note that you must call fifteen (15) minutes prior to the scheduled hearing time to check in or there may be a delay in your case being heard.

For additional information and instructions on telephonic appearances, visit the court's website at : <https://riverside.courts.ca.gov/PublicNotices/Webex-Appearances-Public-Access.pdf?rev=05-29-2020-09:54:48am>

Department S102 does not issue tentative rulings on Unlawful Detainer Motions.

1.

HEC034658	ADVANTAGE ASSETS VS MARTINEZ	MOTION TO SET ASIDE RENEWAL OF JUDGMENT & DECLARATION BY JUAN M MARTINEZ
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Tentative Ruling: The opposed motion is GRANTED. The renewal of judgment is vacated.

Analysis: The motion is timely pursuant to Code of Civil Procedure section 683.170, in that it was brought within 30 days after service of the notice of renewal. The debtor met his burden of proof that he is entitled to relief. Plaintiff has provided no information that the address at which Defendant was served by substituted service was associated with Defendant or that it was his dwelling house, usual place of abode, usual place of business or usual mailing address. see, *Fidelity Creditor Serv. v. Browne* (2001) 89 Cal.App.4th 195.

2.

SWC1902515	CITIBANK VS FINCHER	MOTION TO ENTER JUDGMENT BY CITIBANK, N.A.
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Tentative Ruling: The unopposed motion is GRANTED. Proposed Order and Proposed Judgment shall be signed.

3.

SWC1903538	PORTFOLIO VS MEZA	MOTION TO ENTER JUDGMENT PURSUANT TO TERMS OF SETTLEMENT AGREEMENT BY PORTFOLIO RECOVERY ASSOCIATES, LLC
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Tentative Ruling: The unopposed motion is GRANTED. Proposed Order and Proposed Judgment shall be signed.